

REMARKS

Claims 1-20 are pending in the present application. Claims 1-20 stand rejected. Reconsideration of the present application in light of the present remarks is respectfully requested.

A. Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected claim 1 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,577,109 to Stimson et al. (“Stimson”). The Examiner contends that Stimson discloses the invention as recited in claim 1. Applicants respectfully disagree.

The Examiner acknowledges Stimson discloses a pre-paid card system in which customers may make purchases using an authorized card. The relevant disclosure in Stimson (Col. 7, lines 25-60) discloses and relates to “a card activation or recharging scenario.” By contrast, Applicants’ claimed invention is directed to a “system for automatically *establishing a merchant account* for transaction card usage [*i.e.*, establishing a merchant account so that the merchant can be connected to an issuer/acquirer network in order to start accepting transaction cards as payment],” as recited in independent claim 1.

Stimson teaches activating a pre-paid card by utilizing an activation terminal (52) to enter and transmit information to a host computer (56), which in return provides a response message to the activation terminal (52). (See, e.g., Col. 7, lines 26-45 and Fig. 4.) Stimson’s card activation or recharging scenario does not make any disclosure related to “submitting a merchant application for receiving transaction card usage approval,” as recited in Applicants’ claim 1. In fact, Stimson makes no disclosure of a “merchant application,” at all.

Moreover, Stimson teaches that “[t]he card 50 is activated or recharged with a set dollar amount enabling a user to purchase goods and services up to the pre-paid limit at *any location that accepts said card as payment.*” (Col. 7, lines 28-31.) Accordingly, Stimson acknowledges

that there are locations that accept the card as payment and others that do not. However, Stimson does not make any disclosure or provide any teaching of a system which may be used to automatically establish a location (*e.g.*, a merchant's store-front or Web site location) as one that accepts a transaction card as payment.

Therefore, Applicants respectfully submit that the Examiner's rejection has been traversed. Accordingly, Applicants request the Examiner's 35 U.S.C. § 102 rejection of claim 1 be withdrawn.

B. Claim Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 2-20 under 35 U.S.C. § 103 as being unpatentable over Stimson in view of U.S. Patent No. 6,629,135 to Ross ("Ross"). Applicants have reviewed the Examiner's rejections and respectfully disagree with the Examiner's contentions.

As discussed above with respect to the Examiner's 35 U.S.C. § 102 rejection of claim 1, Stimson does not disclose, teach or otherwise render obvious "establishing a merchant account," as recited in each of Applicant's independent claims. Ross does not make up for Stimson's deficiencies as a reference in this respect. Therefore, no combination of Stimson and Ross can be used to render Applicant's claims 2-20 obvious.

Accordingly, Applicants respectfully submit that claims 2-20 are not obvious in view of any combination of Stimson and Ross and respectfully request the Examiner withdraw the 35 U.S.C. § 103 rejection of claims 2-20.

CONCLUSION

Applicants assert that this application is in condition for allowance. Early allowance is respectfully requested.

If for any reason the Examiner is unable to allow the application and feels that an interview would be helpful to resolve any remaining issues, the Examiner is respectfully requested to contact the undersigned attorney at (312) 372-2000.

Respectfully submitted,

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